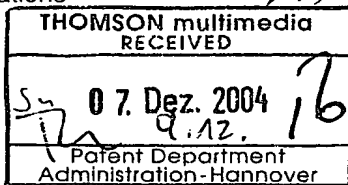


From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

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NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT  
(PCT Rule 71.1)

Date of mailing  
(day/month/year)

06.12.2004 IPER VSA

Applicant's or agent's file reference  
PA020013 ✓

**IMPORTANT NOTIFICATION**

International application No.  
PCT/EP 03/50300

International filing date (day/month/year)  
09.07.2003

Priority date (day/month/year)  
18.07.2002

Applicant  
THOMSON LICENSING S.A. et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international  
preliminary examining authority:



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# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

REC'D 07 DEC 2004



WIPO

PCT

Applicant's or agent's file reference PA020013	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 03/50300	International filing date (day/month/year) 09.07.2003	Priority date (day/month/year) 18.07.2002
International Patent Classification (IPC) or both national classification and IPC H04N9/64		
Applicant THOMSON LICENSING S.A. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.  
  
☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
 These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☒ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

Date of submission of the demand  14.01.2004	Date of completion of this report  06.12.2004
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer  Brod, R  Telephone No. +49 89 2399-8962  

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/EP 03/50300**

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-7 as originally filed

**Claims, Numbers**

1-11 received on 02.07.2004 with letter of 30.06.2004

**Drawings, Sheets**

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**IV. Lack of unity of invention**

1. In response to the invitation to restrict or pay additional fees, the applicant has:

- ☒ restricted the claims.  
☐ paid additional fees.  
☐ paid additional fees under protest.  
☐ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☒ complied with.  
☐ not complied with for the following reasons:

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.  
☐ the parts relating to claims Nos. .

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-11
Inventive step (IS)	Yes: Claims	
	No: Claims	1-11
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

2. Citations and explanations

**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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**Re Item IV**

**Lack of unity of invention**

Purely formal the requirement of unity is achieved by the introduction of the "mixing" feature into claim 6 if said feature has been searched. Nevertheless said feature is debatable as follows:

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following documents:

D1: WO-A-0145426

D2: EP-A-1 128 673

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 to 11 is not new in the sense of Article 33(2) PCT.

The document D1, figs. 2 to 5 indeed discloses the switching or mixing circuitry of claim 1. The IPEA cannot detect any difference in the functioning of on the one hand a MUX (168) disclosed in D1 or on the other hand a switch/mixer (for a SCART or the like) as claimed in claim 1. This difference is an academic question as to whether the switching is effected in which temporal frame (**Zeitraumen**). Nevertheless the effect to be achieved is a PIP as one of the embodiments which PIP is both present in claim 1 and D1.

It is noted that such a PIP is also achieved in the embodiment represented by claim 6 so that its subject-matter is similarly anticipated by D1.

Even if indeed another decoder (first, second, third etc.) were not broached in D1 (or D2) such feature could not be regarded for the subject-matter of claims 1 and 6 as establishing an inventive step over said prior art.

Thus the IPEA can only conclude that claims 1 and 6 at least lack an inventive step over the prior art, but that at present novelty is the prevailing objection.

**INTERNATIONAL PRELIMINARY**

International application No. PCT/EP 03/50300

**EXAMINATION REPORT - SEPARATE SHEET**

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This also holds for the respective dependent claims 2 to 5 and 7 to 11 which likewise disclose subject-matter of D1 and/or D2. This also comprises the possibly searched feature of a synchronization which must be present in the prior art since otherwise no PIP could be displayed in said prior art.

## CLAIMS

1. Video apparatus comprising :

- a digital decoder (6 ; 38) for decompressing compressed digital data and for generating a first digital stream (YCbCr<sub>1</sub> ; YCbCr<sub>2</sub>) ;
- a video source (2 ; 24) of a first analogue signal;
- a video encoder (12 ; 42) ;
- a first video decoder (4 ; 28) connectable to the video source (2 ; 24) for generating a second digital stream (YCbCr<sub>2</sub> ; YCbCr<sub>1</sub>) based on the first analogue signal (CVBS<sub>in</sub> ; A<sub>1</sub>) ;
- mixing means (10, Sync ; 40, Sync) coupled to the first video decoder (4 ; 28) and to the digital decoder (6 ; 38) able to mix the second digital stream (YCbCr<sub>2</sub> ; YCbCr<sub>1</sub>) and the first digital stream (YCbCr<sub>1</sub> ; YCbCr<sub>2</sub>) into an output digital stream (YCbCr<sub>out</sub>) to the video encoder (12 ; 42).

2. Video apparatus according to claim 1, wherein a digital encoder (30, 32) generates a third digital stream based on a second analogue signal (A<sub>2</sub>) and wherein the digital encoder (30, 32) is connectable to the digital decoder (38) for transmitting said third digital stream to the digital decoder (38).

3. Video apparatus according to claim 2, wherein the digital encoder (30, 32) includes a video decoder (30) for digitising the second analogue signal (A<sub>2</sub>).

4. Video apparatus according to claim 2 or 3, wherein the digital encoder (30, 32) and the digital decoder (38) are linked via a digital selector (34).

5. Video apparatus according to claim 4, wherein the digital selector (34) is connected to a medium interface (36).

6. Video apparatus comprising :

- a first video decoder (28) generating a first digital stream (YCbCr<sub>1</sub>) based on a first analogue video signal (A<sub>1</sub>) ;
- a second video decoder (30) generating a second digital stream (YCbCr<sub>2</sub>) based on a second analogue video signal (A<sub>2</sub>) ;

- a digital processing unit (32, 34, 36, 38) at least connectable to the second video decoder (30) and able to generate a third digital stream (YCbCr<sub>3</sub>) based on the second digital stream (YCbCr<sub>2</sub>);

5       - a mixing means (40) connected to the first video decoder (28) and to the digital processing unit (32, 34, 36, 38) for outputting to a video encoder (42) an output digital stream (YCbCr<sub>out</sub>) generated from the first digital stream (YCbCr<sub>1</sub>) and the third digital stream (YCbCr<sub>3</sub>).

10       7. Video apparatus according to claim 6, wherein the video encoder (42) outputs an output analogue signal (A<sub>out</sub> ; R<sub>out</sub>, G<sub>out</sub>, B<sub>out</sub>) based on said output digital stream (YCbCr<sub>out</sub>).

15       8. Video apparatus according to claim 6 or 7, wherein the digital processing unit includes a medium interface (36).

9. Video apparatus according to claim 8, wherein the medium interface (36) is connectable to the second video decoder (30) for recording on said medium data based on said second digital stream (YCbCr<sub>2</sub>).

20       10. Video apparatus according to claim 8 or 9, wherein the medium interface (36) is connectable to the digital switch (40) for outputting to said digital switch (40) a digital stream based on data retrieved from said medium.

25       11. Video apparatus according to one of the preceding claims, wherein the first video decoder (28) provides a synchronising signal (SYNC) to the digital decoder (38).